

Remarks

Initially, Applicant's representative would like to thank the Examiner for the courtesy extended during the telephone call of July 12, 2007. During that phone call, Applicant's representative briefly discussed possible amendments to more clearly define the slide mechanism structure of the present invention. The current amendments are based on that discussion.

The Office Action mailed March 19, 2007 has been carefully considered. In that Action, Claims 1-17 were pending with Claims 12, 13, and 17 withdrawn from consideration. Claims 1-11 and 14-16 were rejected. Applicant respectfully requests reconsideration in light of the remarks below.

Applicant has amended Claims 1 and 9 to more clearly define the structure of the present invention and the functionality achieved thereby in an effort to expedite prosecution. Support for these amendments may be found, for example, in Figures 1 and 4, and in their accompanying description beginning on page 6, paragraph 3, of the application as filed.

For example, the downwardly depending edge of the tray is clearly shown and described as element 78 in Figures 4 and its accompanying description in the specification (also visible in Figure 1).

A first slide attached to the cabinet frame interior and being upwardly and inwardly offset from the cabinet frame interior a distance sufficient to allow the downwardly depending edge of the tray to be positioned in-between the first slide and the cabinet frame interior to which the first slide is attached is shown and described as element 64 in Figure 4 and its accompanying description.

A second slide attached to the underneath side of the tray is shown and described as element 66 in Figure 4 and its accompanying description.

The interface between the first and second slide is shown as the interface between slide 64 and 66 in Figure 4.

Applicant submits that these amendments do not add new matter.

35 U.S.C. § 102(b)

Claims 1-11 and 14-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,938,305 ("Rubsam"). Applicant respectfully submits that the above amendments more clearly define the invention and further distinguish it from Rubsam. Applicant respectfully requests favorable reconsideration for, inter alia, the reasons below.

Applicant respectfully submits that Rubsam fails to disclose or suggest a tray *including a substantially downwardly depending edge that defines at least part of a channel positioned along the tray's side.*

Applicant respectfully submits that Rubsam fails to disclose or suggest a slide mechanism having a *first slide attached to the cabinet frame interior and being upwardly and inwardly offset from the cabinet frame interior a distance sufficient to allow the downwardly depending edge of the tray to be positioned in-between the first slide and the cabinet frame interior to which the first slide is attached.*

Applicant respectfully submits that Rubsam fails to disclose or suggest a *second slide attached to the underneath side of the tray.*

Although Rubsam does possibly disclose an interface between slides, Rubsam does not disclose or suggest an *interface covered by the downwardly depending edge of the tray.*

For at least any of these reasons, Applicant respectfully requests favorable reconsideration.

Applicant's invention provides an advancement in that it efficiently covers the slide mechanism in a manner that prevents trash from spilling out of the waste container and onto the slide mechanism. Prior art slide mechanisms are exposed and difficult to clean. As a result they quickly become contaminated with trash soon after installation. Most homeowners however never clean traditional slide mechanisms, which can become a significant source of bacteria and odor in the kitchen. Applicant's invention overcomes this problem by essentially preventing the contamination of the slide mechanism and providing a tray that is easy to clean should spills occur.

Conclusion

Applicant submits that by this amendment the case is placed in condition for immediate allowance and such action is respectfully requested. If, however, any issue remains unresolved, Applicant's attorney would welcome the opportunity for a telephone interview to expedite allowance and issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ryan Kody Jones', is written over the typed name and address.

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